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Political Courage.

Truth bids us say that there is a little more spunk in Judge PARKER's letter of acceptance than in any preceding document of his composition since the campaign began. A little more, but not-

It is easier to read than its predeces-sors, because Mr. PARKER himself or some useful friend has edited away the overabundance of qualifying phrases, and modifying words with which the excellent gentleman has been accustomed in his political manifestoes to ballast both sides so impartially that when you get to the end of one of his complicated sentences you do not know whether tweedledum of tweedledee has the plurality.

We bespeak the candid consideration of all citizens for what is the most creditable production, as literature, that has yet emanated from Esopus. And we call particular attention to its most into the much debated Pension order making the age of sixty-two presemptive evidence of disability to earn-a-living by manual labor. We have found no reason to revise our opinion that this Executive order was very much like a bid for the soldier vote; that its character as an encroachment on the province of legislation was not altered by the circumstance that Congress afterward appropriated money to give it effect; and that the order must stand as one of the acts of Mr. Roose-VELT'S administration most open to just criticism. We say this even after having read the ablest legal defence of Pension Order No. 78 that has yet been put forward, namely, that by Mr. HENRY W. TAFF, in his statement printed this morning.

In Mr. ROOSEVELT's letter of acceptance of Sept. 12 he said:

"It is easy to test our opponents' sincerity in this matter. The order in question is revocable at the pleasure of the Executive. If our opponents come into power, they can revoke this order and announce that they will treat the veterans of sixtytwo to seventy as presumably in full bodily vigor and not enducate pendions. Will they now authoritatively state that they intend to no thist If so, we accept the issue. If not, then we have the right to ask why they raise an Issue which, when raised,

We confess that THE SUN'S hopes and interest as an amateur of courageous politics rose high in reading the first part of Mr. PARKER's reply to the someabove. The Democratic candidate says:

"On the assumption that the order, as stated by the Administration, is revocable at the pleasure of the Executive, it having been an attempted, though perhaps unwitting encroachment upon the legislative power, and therefore unwarranted by the that if elected I will remoke that order."

terance of a statesman who is for Duty Francis Burton Harrison for Lieuand the Constitution without reference tenant-Governor is illustrated graphito the old soldier vote, and without fear cally in another place in THE SUN toof its displeasure? They seemed to us day. On the official ballot handed by so to ring; and it was with profound dis- the election inspector to each voter beappointment that we encountered the fore he enters the voting booth the of play, some of Dr. BALLIET'S assertions

"But I go further and say that that being done. I will contribute my effort toward the enactment umn contains the Republican emblem of a law passed by both houses of Congress and and the names of that party's nominees. approved by the Executive that will gire an age pension without reference to disability to the surviving heroes of the civil war; and under the provisions of which a pension may be accepted with dignity because of the consciousness that it comes as a just due from the people through their chosen representatives, and not as a largess distributed by the Chief Executive."

Solicitude for the maintenance inviolate of the Constitutional boundaries. or merely an ordinary attempt to outbid for the so-called veteran vote?

How puzzling are the anfractuosities of the human mind when it is up for elective office!

The President's Peace Congress.

The friends of peace will hear with has granted the request of the Inter-Parliamentary Union, and has promised to issue at an early date invitations to

at The Hague. To what extent the invitation will be accepted will obviously depend upon the proposed scope of the

Congress, light upon which is thrown by the terms of the request and of the President's reply. The resolutions presented to Mr. Roosk-VELT by Representative BARTHOLDT in the name of the Inter-Parliamentary Peace Union convey no intimation of a requires that he make thirty-nine cross purpose to terminate the pending war in the Far East, although indirectly influence might be exerted in that direction. They recall the fact that at the former conference, held at The Hague, certain questions relating to the rules and usages of international law

were left unsettled, and a wish was ex- at the left of each candidate's name, the pressed that, after the lay se of a reasonable time, a second conference should be convoked with a view to a further discussion, and, if possible, a definite djustment of such matters. The resolutions also advise that an earnest effort should be made to bring about the condential elector, the voter shifts to the tion of New York city, but the reasons clusion of arbitration treaties between the nations represented in the second conference. Utterance is given likewise to a hope that the new conference may assert the advisability of creating a permanent Congress of Nations to convene periodically for the consideration of international questions. The resolutions might have added that since needs to be immediately dealt with. It to vote a split ticket. There can be no the organization of the Republican party

is generally admitted that if wireless | mistake in counting the ballot, no distelegraphy is to be used at all by neutral pute over the voter's intention. vessels in or near a theatre of operations, whether military or naval, certain

contest have rendered it a matter of great moment to define as quickly as possible by general agreement what commodities on board neutral vessels may be treated by belligerents as absolutely contraband, and what articles, on the other hand, should be regarded as for Mr. HARRISON. only conditionally contraband. Absolutely contraband are such things as munitions of war, the mere presence of belligerent's ports would justify the conof the other belligerents. Conditionally contraband are those things which may or may not be intended for warlike uses, and the question which has been raised repeatedly in an urgent form during the present war relates to the presumption which, in the absence of counter evidence, shall be held to render certain commodities on neutral vessels exempt from seizure. It will be remembered that at the

outset of the contest between Russia and Japan the former Power announced that provisions, cotton, coal and certain products of iron and steel, especially machinery, if found on a neutral vessel bound to a Japanese port, would be treated as contraband of war. The intention was subsequently carried out Russian war vessels, both in the Red teresting feature, namely, the reference. Sea and in Far Eastern waters. We have often pointed out that neither Great Britain, so largely dependent on imported provisions for the subsistence of her population, nor the United States, the principal purveyor of food products to Great Britain, could possibly acquiesce in the treatment of food as absolutely contraband. The determination of the United States to resist such an interpretation of international law was expressed clearly in the note addressed by our State Department to the St. Petersburg Foreign Office. We lately learned with gratification that, in deference to the concurrent protests received from Washington and London, the Russian Government had receded from the position originally taken with reference to food, and had agreed that hereafter food should be viewed as only conditionally contraband, that is, should be exempt from seizure if consigned not to a blockaded port or to any known agents of a belligerent government, or of its military or naval authorities, but to private persons, the subjects or citizens of such belligerent.

We have dwelt once more upon this question of conditionally contraband in order to demonstrate the extreme importance of having the distinction between absolutely and conditionally centraband articles embodied in a general agreement to be reached at the second peace conference which President what crude political challenge quoted ROOSEVELT has wisely recognized the expediency of convoking.

The Split Ticket.

his ballot on Nov. 8 for the Republican Constitution, I accept the challenge and declare candidates for electors of President and Vice-President and for the Hon. D. CADY Do not these words ring like the ut- HERRICK for Governor and the Hon. names of all the candidates for office are printed in columns. The first col-The candidates for electors of President and Vice-President head the list, the State ticket coming next, and the local nominees last. The names of the Democratic candidates are printed in the second column. In the illustration printed to-day a part of each of these

columns is pictured. There are thirty-nine candidates for Presidential elector on each ticket. that being the number of electors to which the State is entitled under the Twelfth Census. The name of each candidate occupies a separate division of the ballot, and at the left of each name is an enclosed space in which the voter may make the legal cross (X) mark to indicate his choice of candidates. In satisfaction that President ROOSEVELT the illustration printed herewith only the first five candidates for elector and only the candidates for Governor and Lieutenant-Governor on each ticket are Unless it was developed among the other nations to join a second congress given. These are sufficient to illustrate the manner in which a split ticket should be voted.

The better way for the voter casting skin tanned? a split ticket to mark his ballot is shown in the figure marked "A." The voter disregards entirely the party emblem and the circle, and makes the legal cross (X) mark in front of the name of each Republican candidate for elector. This (X) marks to vote for all the Republican candidates. It is necessary to vote for all of them to make the ballot effective. Voters do not cast their ballots directly for President and Vice-President. They vote for the electors, and if they fail to make the cross (X) mark in the space men in front of whose names they neglect to make the cross (X) mark do not

receive the vote. Having made the thirty-nine cross (X) marks in front of the names of the thirtynine Republican candidates for Presisecond or Democratic column on the that impel voters to associate themselves ballot and makes the cross (X) mark in together to bring about a reform in the spaces in front of the names of a subdivision of the State operate as Mr. HERRICK, Mr. HARRISON, and then strongly to array them for reform in the in front of the names of the other candidates for office for whom he chooses to vote on whatever ticket they appear. Marking his ballot in this manner, the voter must bear in mind that it will be the Hague conference adjourned a counted only for the candidates in front new question has arisen we refer to the of whose names he makes the legal cross | day the government of the State of New use of wireless telegraphy in war which (X) mark. This is the safest way in which York is controlled by one man, while

The second method of voting a split ballot is shown in "B." On this ballot restrictions will have to be agreed upon. the voter makes the cross (X) mark in Among these it is not improbable that the circle under the Republican emblem. the three-mile limit, which has long By doing so he votes the Republican formed the boundary between terri- ticket from top to bottom straight, extorial waters and the high seas, will cept for such candidates on other tickets have to be extended for certain pur- as he indicates by placing a cross (X) mark in the voting spaces in front of Certain incidents of the Far Eastern their names. In the ballot illustrated the vote would be counted for every candidate on the Republican ticket except FRANK W. HIGGINS and M. LINN BRUCE. For the office of Governor it would be counted for Mr. HERRICK and for the office of Lieutenant-Governor

The danger involved in this method of splitting the ticket is that disputes may arise as to the intent of the voter, and which on a neutral's vessels bound to a that his ballot may be thrown out entirely, or his vote nullified as to one or fiscation of such munitions at the hands | more of the candidates. It is also possible that all the cross (X) marks on the ballot except that in the circle under the emblem may be overlooked in counting the ballot, and thus the vote may be counted for men to oppose whom the

voter took particular pains. Every voter on election day should make the cross (X) mark in the voting space in front of the name of each candidate on the Republican ticket for elector, and in front of the names of the Hon. D. CADY HERRICK and the Hon. FRANCIS BURTON HARRISON in the Democratic column.

This makes a Citizens' Ticket, and in our opinion it is the ticket which good citizens of the Empire State should vote six weeks from to-morrow.

Education and Football. Discussing the history of pedagogical training, Dr. THOMAS M. BALLIET, Dean of the School of Pedagogy of the New the importance of play in education. He says that education "is becoming less bookish." Indeed, the absolute divorce of books from education may be awaited hopefully. Once education was work. Now it is largely play. The oldfashioned, compulsory, arbitrary system is obsolete. Dr. Johnson said brutally that children are afraid of being whipped, get their task, "and there's an end on't." The rod is going and the task is gone. Children frisk, scamper and play into education. With what muttering and sullenness, what kneading of dirty knuckles into briny eyes, the old-fashioned child learned to spell "cat" and "dog" and "drum." Now he mews, bow-wows or beats an actual drum or sees a picture of a cat, a dog, a drum, and as long as the picture or the original is before him, he can spell the word.

The play of men, animals and children, has been studied by psychologists, and do not possess the suffrage. No regular thropologists and sociologists. "All aniparty would think of nominating for the thropologists and sociologists. "All animals," Dr. BALLIET tells us, "develop healthy bodies through play, without formal gymnastics." To the last clause we can give only a provisional assent. The resilience of a mule's hind leg may be the survival of a primitive formal savate. The greyhound is the product of age-long systematic training, dieting dential candidate from Pennsylvania and and sprinting.

In his opening address at the School of Pedagogy, Saturday, Dr. Ballier sylvania gave 284,000 Republican plurality; committed himself to a theory of play The ease with which a voter may cast | that gives a new dignity to the chief fall

" Play is the reproduction or repetition of wha was serious work on the part of our remote pre historic ancestors. The football game is a rehearsal of tribal warfare, and develops the elemental vir tues essential to primitive social life, such as cour age, loyalty, self-subordination and self-control.

While we hold the prehistorical historical and anthropological theory are doubtful. Football is not merely a reproduction and rehearsal of serious work: it is mighty serious work. Were remote prehistoric ancestors "up to" such work? Did the great ancestral primates, arboreal in their habits, punt and kick cocoanuts in clearings of the jungle? The so-called "football hair" is clearly a survival of the elder days, when men wore their natural furs. "Made the fur fly" is a fossilized metaphor. But we cannot believe that football is only "a rehearsal of tribal warfare." It is not a rehearsal; it is the main business and the great tragicomedy of school life. It is so vehement and severe that the early, imperfectly nourished and cachectic tribes never could have survived it. And look at the thin and scrawny shins of the Australian black fellows, supposed to be nearer than most other tribes to the state of nature "the primitive" type. Football, the nurse of manly biceps and heroic calves, has never been among those savages. arboreal ancestors, chasing the cocoanut, it can hardly have arisen before the pastoral age. When was the first pig-

Obscure is the question of the origin of football and other sports. The pile dwellers may have "gone in for" water polo; but football was out of their element. The cave dwellers may have had squash courts and handball courts, but they had small facilities for football. But whatever its origin, Dr. BALLIET is right in saying that it develops the elemental virtues. At the same time, its sinister tendency toward militarism has made divers Mugwumps mourn.

The Citizen Unionists.

The campaign to redeem New York State from Odellism is one that appeals strongly to the men who compose the Citizens' Union. The policy of that organization is not to engage in political contests outside the municipal corpora-State itself.

The defeats of Tammany in 1894 and in 1901 were due to the subversion of the government of New York city to the will of one man, who used it to further his own selfish and personal ends. To-

in the State is converted, as far as possible by him, to the uses of a mere

Under these circumstances there can be little doubt as to the action of the members of the Citizens' Union at the polls on Nov. 8. They will vote for HERRICK and HARRISON, with the campaign cry of "Smash the Grocery!"

Mr. McCarren's Great Speech. The Hon. PATRICE HENRY McCARREN'S Saturday night speech at the banner raising of the Parker and Davis club of Homecrest in the Thirty-first ward, Brooklyn, was an original and a noble effort. Mr. McCarney speaks too seldom. There will be a general cry for him among Democrats as soon as this speech has been read by the Democratic speakers' bureaus. Among many great passages we can

pick but three: " 1. He (PARKER) stands for everything that is

opposed to that for which the Republican candidate Mr. ROOSEVELT stands for the gold

standard. Judge PARKER must stand for the silver standard. "2. I ask you whether President ROOSEVELT has kept his promise to keep us at peace with all

the world? I ask you if he has not pursued a dia-

metrically opposite course!" Evidently the United States is at war with all the world. Mr. McCARREN ought to telephone the dark fact to the delegates of the Inter-Parliamentary

Union. " 3. We have nominated a man who never lifted his hand nor raised his voice for the nomination.

The nomination sought him."

We hope that Mr. McCARREN has sent a marked copy of his singularly stimulating speech to the unretired retirer of Wolfert's Roost.

If Col. HENRY W. SAVAGE can abolish the ticket speculator nuisance at the thea-York University, lays just stress upon | tres which he controls, he will have won the most creditable victory in all his successful career as a manager of entertainments.

In 1903 the Prohibitionists of Rhode Island cast some of their votes for Governor GAR-VIN and thus contributed to his election. The other candidates on the Democratic ticket without such Prohibition support were defeated. This year Rhode Island Prohibitionists have nominated HENRY B. METCALF, their candidate for Vice-President in 1900, for Governor, and they declare that their action is an evidence of the dissolution of their alliance with the Democrats. They have, in fact, ruled themselves out of any effective participation in the contest. Last year GARVIN'S plurality was 1,303. The Prohibition vote for Lieutenant-Governor was 1,841.

The candidate for Vice-President of the portentous "Continental National party," which held a convention in Chicago, has declined the honor. He is a resident of the District of Columbia, where the citizens Vice-Presidency a candidate from a po-litical division which has no vote.

This year the Populists have their Presidential candidate from Georgia, a State irreclaimably Democratic. Their Vice-Presidential candidate, the unique TIB-BLES, is from Republican Nebraska. The Prohibitionists nominated their Presi-

their Vice-Presidential candidate from Texas. At the last national election Penn-Texas gave 146,000 Democratic plurality. Some years ago a promising third party

novement for the preservation of the Demogratic organization against a distaste ful fusion chose as Presidential candidate a nominee against whose selection the claim was made that he was ineligible, being a native of Ireland. Some years later the Socialist party, then united, chose Presidential electors but refused to designate a President for whom they should vote.

Queer Features of Malaria. From the Medical Record.

Free drinking of water will favor malarial infection. The old belief of the danger of eating watermelons has its truth nicely hidden, and the converse is also true.

Again and again I see harvest hands sleeping out, bitten by swarms of mosquitoes nightly, es-caping all symptoms until they stop work and sweating, and then in less than a week they will come to me with a history of a chill. Now, after treating a few families, you will notice that the children and young adults have it, but the grandparents, old and dried up, usually escape. If you find an old, little withered man or woman they are free. This may be from their lack of juices or from acquired immunity. In many cases of old residents I am sure it is the latter, but even in newcomers the thin, dry grandparents escape. Malaria is practically a disease of childhood. So universal is it that few children escape, and their watery structure favors infection, by years of suffering they win immunity.

Perhaps you have seen a man who has gone ntreated for a long time and worn out the disease water has been excreted and he gets well.

From the Manchester Guardian. Many English people will be glad to know what King Edward VII. thinks of that musical composition "Hiawatha." which has monopolized the attention of the organ grinders for some time. The London correspondent of a Canadian paper recounts the incident. It appears that at Goodwood some nigger minstrels played "Bedella." and that the Queen applauded the performance gently, while the King smiled. So far, so good; we are not much wiser as to what the King thought.

Then they played and sang some American comic Then they played and sang some American comic air, at which the King said to the Queen (who told the correspondent apparently) that the American must be a long suffering people. Unhappily th niggers did not hear this, and they continued hope fully on, choosing "Hiawatha" to follow the comic ditty. At once the King turned, and, with a flush of auger, said, "Will sobody tell those fellows to

Henry Clay's Father and Brother Preachers

From the Richmond Retigious Herald.

John Clay, the father of Henry Clay, the distinguished statesman, was not only a Baptist, but a Baptist preacher. He resided most of his life in what is known as "the slashes" of Hanover, and his farm, on which he lived for many years, is two or three miles from Ashland. Here his son Henry was born, and probably Porter Clay, who removed to Kentucky and became a distinguished Baptist minister. Robert B. Semple, in his "History of Virginia Baptista," says that the Black Creek Bap-tist Church in Hanover county was originated by John Clay, and that he was paster of Chickahominy Church, and did much missionary work in the re

From the St. James's Gazette.

A certain M. P. is in the habit of buying a paper from the same newspaper boy every evening on his way to the House. It chanced that one even. ing when he came to put his hand into his pocke he found he had come out without a single penny He hesitated a moment, and then explained the position to the lad. "Don't mind about that, sir." was the reply, "you can pay for it to-morrow. I will be all right." "And to-morrow, my boy, may be dead." said the politician, with the ide of impressing a moral lesson tipon the youthful mind. The answer of the lad left the moralising legislator gasping. "Well, sir, if that is the case, it will be no great loss, after all."

Football Economy Knicker—A stitch in time saves nine. Quarter Back—Well, they took twenty stitches in me, and it saved the eleven.

THE SPLIT TICKET.

How the Elector Should Mark His Ballot to Vote for Receivelt for President and to Rebuke Odellism in the State.





REPUBLICAN TICKET.

For President, THEODORE ROOSEVELT.

For Vice-President, CHARLES W. FAIRBANKS.

X	For Electors of President and Vice-President, CHARLES A. SCHIEREN.		For Electors of President and Vice-President, NATHAN STRAUS.
х	GEORGE URBAN.		HERMAN RIDDER,
х	BRINKERHOFF MEYERS.		JOHN H. CARL
х	PETER WYCKOFF.		HYMAN ROSENSON.
×	JOHN DRESCHER, JR.		JOSEPH W. MASTERS.
	Here follow the names of the 34 other candidates for Electors, before each of whose names the cross (X) mark should be made.		Here follow the names of the thirty-four other candidates for Electors.
	For Governor, FRANK W. HIGGINS.	X	For Governor, D. CADY HERRICK.
	For Lieutenant Governor, M. LINN BRUCE.	Х	For Lieutenant-Governor, FRANCIS BURTON HARRISON

DEMOCRATIC TICKET.

For President,

ALTON B. PARKER.

For Vice-President,

HENRY G. DAVIS.



REPUBLICAN TICKET.

For President, THEODORE ROOSEVELT.

For Vice-President, CHARLES W. FAIRBANKS.		HENRY G. DAVIS.
For Electors of President and Vice-President, CHARLES A. SCHIEREN.		For Electors of President and Vice-President, NATHAN STRAUS.
GEORGE URBAN.	_ ^	HERMAN RIDDER.
BRINKERHOFF MEYERS.		JOHN H. CARL.
PETER WYCKOFF.		HYMAN ROSENSON.
JOHN DRESCHER, JR.		JOSEPH W. MASTERS.
Here follow the names of the thirty-four other candidates for Electors.		Here follow the names of the thirty-four other candidates for Electors.
For Governor, FRANK W. HIGGINS.	x	For Governor, D. CADY HERRICK.
For Lieutenant-Governor, M. LINN BRUCE.	х	For Lieutenant-Governor, FRANCIS BURTON HARRISON.

For the Other Pellow, Whoever He Was

From the Washington Post.
"My friend Col. Pinley of Kentucky tells this himself," said Mr. George C. Cobham of

"It seems that years ago they had a system of viva voce voting in all elections in the Blue Grass country. My friend Finley was a candidate for the Legislature, and was sitting in the room where the Judges and clerks of the election were. They were his personal friends, and wanted to see him

"During the progress of the voting an old countryman came up and called out his cand Governor down to constable, but omitted to vote

fellow had turned to leave, 'don't you want to vote for a member of the Legislature? Wall, yes, I guess I do; who's running?

" Is that so? Then vote me for the other fel

The Sunlight Arresting Cornice. TO THE EDITOR OF THE SUN-Sir: At the corner of Fifth avenue and a certain cross street a new build-ing is going up, the cornice of which projects about

ten feet across the street. If the building were only 100 feet long this would cut off 1,000 square feet of sunlight.

There are physicians in this town so keen on obtaining sunlight for their patients that in one case last winter a very sick child was moved out of a comfortable and luxurious home into a little bit of a room in the corner of a big hotel, solely for

purpose of getting more sun. For over fifty years the French rule has required of buildings that the higher they go the further back from the street must be the face of the upper stories, no projecting cornices being allowed.

For twenty years I have heard of the autocratic powers of our Health Board, and that no Board of Health the world over had such vast powers. NEW YORK, Sept. 23.

An Obliging Territory Judge From the Kansas City Journal.

The machinery of justice has been doing its work at Ada for the past week, and the following

story, taken from the local exchange, shows the pleasantness and despatch with which the Judge transacts his business: In one instance William Newman was tried for maintaining a common gaming house and was found guilty by a jury. Just before the dinner hour Newman said: "Your Honor, how much is my fine? I don't want to go to jail; I want to go to dinner." Judge Dickerson told him to go to dinner and to appear at 1 o'clock, when he would sentence him. Newman went to dinner and returned. When the court opened, the Judge asked him if he knew any reason why he should not be fined. Newman said, "No; how much is it?" Judge Dickersogrephed \$100 fine and six months in jail.

Electricity on European Farms.

DEMOCRATIC TICKET.

For President.

ALTON B. PARKER.

For Vice-President

From the Electrical Review In Europe the use of electricity in fo by no means extensive, still is more frequent than in this country. In Germany a good deal of atter tries have shown a willingness to try the new sys tem. France, in particular, seems to be giving el ricity a thorough trial. The southern part of rance abounds in waterfalls. These water powers have been developed for lighting and furnishi power to the neighboring towns, and an important part of the output of these stations is used on the farms. Here, motors are adapted to doing all kinds of work. They are always ready to start: they are, in general, transportable, so that they can be moved from place to place, and they consume nothing when idle. Where the farm is fairly large, it owns its own motor and keeps it working it about from place to place as needs require. It is possible that in this section of the country the horse has never been an important factor, and the small farmer has been able to get his products on the market by other means.

The Best Decoration. From the Baltimore American.

They've hung a big Old Glory on a rope across the

street. And just to see it flutter puts a tickle in my feet And sends a crinkle up my back and down into each arm— It makes me hear the bugle call and feel war's awful

charm:
I hear the fife notes shrilling and the throbbing of
the drum:
I hear the yell of battle as the thund'rous hoof thuds come: I see men's bodies falling, though their spirits never lag— Such trills as this run through me when I see that swaying flag:

Look-look! The breeze has caught it up and holds
it, while the sun
Sets all its stripes a glitter, while the ripples race
and run!
The glory of those ruddy bands shut in by lanes of white

Floods all my dusky deskroom with a lingering.
loving light:
I drop my work enraptured: while, to break that magic spell.
I doff my hat and wave it with a loud, ecstatic rell—
I love that flag! I love it with a love 'twould dare and die--God bless those glorious stripes and stars flung out against the sky!

I love it as did Francis Key, who penned th' immor-tal aong; I love it with a fervor that can never think it wrong; I love it for the freedom it has given unto men; I love it for its beauty, for its gracefulnose, and then I love it with the patriot love that never wonders I love it with the patrict love that never wonders why.

But sheds hot tears whene'er those folds he sees athwart the sky:
I love it for the lessons it has taught to men of brag.—
But, most of all, I love it just because it is OUR FLAGI COAL AND IRON CONTRABANDS Russia Once Declared That She Would

Never Assent to That Doctrine as to Coal. TO THE EDITOR OF THE SUN-Sir: It seems that while the Russian Government, in answer to the very able and energetic protest of Secretary Hay, has at last recognized the doctrine that provisions shipped to private individuals in belligerent ports cannot be considered contraband, unless there is suffi-cient evidence to prove that they are intended for the military or naval use of the enemy, that Government still insists that coal and iron are to be treated as contraband and therefore subject to confiscation.

This proposition is as absolutely untenable as the one in reference to provisions, which has been abandoned. There is but one test by which the character of a shipment can be determined as contraband or non-contraband, and that is the purpose for which it was shipped. Where an article is evidently intended shipped. Where an article is evidently intended for military use, as arms and ammunition, the belligerent has a perfect right to say that it shall not be furnished to his enemy and to declare it contraband. When an article is not ordinarily used for military purposes but for consumption by peaceable residents of a hostile country, it is presumably not contraband, and can be so considered only when there is convincing proof that it is intended for the use of the army or navy of

the enemy.

This distinction was clearly drawn by the Supreme Court of the United States in the case of the Peterhof. This vessel was captured by the United States fleet while it was bound for Matamoras, a Mexican port on the Rio Grande. The cargo consisted partly of arms and ammunition, and partly of provisions which were, as shown by the evidence, intended to be sent across the Rio Grande into the Southern Confederacy for sale to its civil inhabitants. The Court held that the arms and ammunition being evidently intended for military use were contraband, but that the provisions were innocent merchandise and as such should be re-

So when France in 1885 declared rice shipped to Chinese ports north of Canton to be contraband, the British Government controverted the proposition, and Lord Granville wrote the French Ambassador as follows:

In the view of her Majesty's Government the test is the view of ner Majesty's devernment has test appears to be whether there are circumstances relative to any particular cargo or its destination to displace the presumption that articles of this kind are intended for the ordinary use of life, and to show prima facic at all events that they are destined for military use."

the for military use."

The same reasoning applies to coal and iron. These articles are largely and principally used by all nations for peaceful purposes. Their consumption enters into the everyday life of all civilized communities for manufacturing, for transportation and for domestic purposes.

Prof. Hall iff the recent edition (1964) of his very valuable work on international law save.

Says:

Coal is employed so largely and for so great a number of innocent purposes, the whole daily life of many nations is so dependent on it by its use far making gas, for driving locomotives, and for the conduct of the most ordinary industries, that no sufficient presumption of an intended warlike use is offered by the simple fact of its destination to a belligerent port. But on the other hand, it is in the highest degree noxious when employed for certain purposes; and when its destination for such purposes; and when its destination, for such purposes; and when its destination, or to a place used as a port of call or as a base of naval operations, it is difficult to see any reasons for sparing it which would not apply to gunpowder.

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This is certainly a fair statement of the argument. It amounts simply to a question of evidence. As in the case of provisions, coal is prima facie an innocent article of merchandise, but if the facts proven before the prize court are such as to overcome the preyound that it is intended for peaceful purposes and to establish its destination for military or naval use, then and only then it may be adjudged contraband of war.

The decision of the Bussian Government as I understand, is that both coal and iron are absolutely, and not conditionally, contraband, and as such subject to seizure and confiscation.

band, and as such subject to seizure and confiscation.

This position is not only in strange conversat with the general course of Russian precedents on the subject of contraband, but as to coal it is directly in opposition to the most emphatic declarations of the Russian Government made in 1884 at the West African Conference held in Berlin to regulate the navigation of the Congo River, and participated in by all the leading European Powers and the United States.

At that conference Russia gave formal notice to the world that she would not under any circumstances or at any time congent to the doctrine that coal was contraband of war. I quote the words of Count Kapnist, her Minister Plenipotentiary in that conference:

I am obliged now to recur to a question which was raised in the commission in my absence and

was raised in the commission in my absence and without my being able to discover from the report precisely what was done on it. I mean the English proposal by which coal would be classed amongst the articles considered by international law as contraband of war.

Without the least wishing to raise a debate on this subject now. I must, in conformity with my instructions, declare that the Russian Government would never accept such an interpretation. On this point my instructions are peremptory. The Government which I have the bonor to represent here would categorically refuse its consent to any article in any treaty, convention or instrument whatever which would imply a recognition of coal as contraband of war.

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whatever which would imply a recognition of coal as contraband of war.

After such a declaration as this, made to the representatives of the world's great Powers, with what grace can the Russian Government now declare that coal is absolutely contraband of war? Can it expect other nations to remain passive while the Czar makes and unmakes international law to suit his convenience? Is it not time that the neutral Powers should take more decisive steps than they have hitherto done to conserve their rights and protect their commerce? Does not their duty to their own subjects require that they should take some measures more emphatic than verbal protests against such outrageous aggressions as have been committed and are still being committed by Russian cruisers upon neutral commerce?

WASHINGTON, Sept. 24.

RUSSIAN MOONSHINE.

After Disposing of Japan, Says Prince Oukhtomski. We Must Invade India.

Moscow correspondence of the Paris Temps. able to notice in St. Petersburg is that of a confident, religious and patriotic. For them the present war is what religious people call a trial which Heaven sends upon a country for its sins. They insigt that Russia never did anything, and never thought of doing anything, which could be interpreted as a menace or an invasion of the rights of a neighbor. As it is averred that the Emperor did not desire war, it is clear for them that there was no cause for war, and that, consequently, the treachery of the Japanese is plain to all eyes. Every-body knows that Russia needed a port in of the Japanese is plain to all eyes. Everybody knows that Russia needed a port in free water, and nobody had a right to ask her why she went to seek it in China.

"But the war broke out. 'Very well,' they said; 'it is a war which we did not want; and the best proof that we did not desire it lies in the fact that, after the lapse of six months, we are not yet entirely prepared for it. But this war, like all our trials, will prove to be a great blessing for Russia. It will put in relief the admirable qualities of the Russian people, and, for compensation, it will give to Russia the sovereignty of most of Asia. We will not draw a kopeck from Japan ruined; but we will take securities—first, the islands in the strait of Corea, then Corea itself, which we will join to that Manchuria which we shall have well earned, after having not only civilized it, but also sprinkled it with our blood.

"Just here, I found myself in every instance obliged to interrupt these patriots with the observation that the real compensation that they expect should be explained, since it can can only be obtained to the detriment of a third party. It should be remembered that England, by forming an alliance with Japan, by subscribing to the Japanese loan and by throwing difficulties in the way of the right of search and in regard to contraband of war, has created intense irritation in Russia. The expedition to Lhasa capped the cimax to this rage and rancor. And in this way the final compensation is explained—the compensation which not only the Russian chauvinists, but other patriots far more enlightened, expect to receive at the close of the Manchurian ordeal.

"I take the formula from two articles of Prince Oukhtomski. Here is an extract from one:

"And when our war with Japan is termina-

from one:
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from one:

"And when our war with Japan is terminated, it will not only be possible, but even necessary, for us to start out on that expedition so long desired, the invasion of India."

"And in a pamphlet entitled "The Threatening Future" the Prince says:

"This great war in Asia, with the perspective of an expedition against India, to avenge us for the effronteries of England, of a reorganization of the Chinese colossus, and of the incorporation of a multitude of colored races, puts us suddenly in presence of a quantity of duties in the line of civilization infinitely complicated.

"It is easy to see that the people in St. Petersburg who cherish these hopes must be intensely interested in the news from the Far East."